

PROCEEDINGS/MINUTES OF CITY COUNCIL

...September 30, 2015...

Council convened at 2:28 p.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

MAYOR CRANLEY

Item #: 201501318

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jim Tomaszewski to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501319

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Ron Schultz to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501320

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Yvonne Gutapful to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501321

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Beth Sheehan to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501322

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Karl Maritato to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501323

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Ann Hill to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501324

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, hereby recommend the appointment of Lauren DeGoricia to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501325

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Harold Dates to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

Item #: 201501326

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jim McNulty to the City of Cincinnati Animal Task Force.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

MR. FLYNN

Item #: 201501291

ORDINANCE, (EMERGENCY) submitted by Councilmember Kevin Flynn, from Paula Boggs Muething, City Solicitor on September 22, 2015, AUTHORIZING the transfer and appropriation of the sum of \$750,000 from the unappropriated surplus of the General Fund's Fiscal Year 2015 carryover balance to the Department of Transportation and Engineering's FY 2016 General Fund Operating Budget Account No. 050x232x7200 for the purpose of operating the Cincinnati Streetcar in accordance with established City Council policy.

\*\*\*

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

\*\*\*

MS. MURRAY  
MR. SMITHERMAN  
MR. YOUNG  
MR. WINBURN  
MR. FLYNN  
MR. SEELBACH  
MR. SITTENFELD  
MS. SIMPSON  
MR. MANN

Item #: 201501309

MOTION, dated 9/29/2015 submitted by Councilmembers Murray, Smitherman, Young, Winburn, Flynn, Seelbach, Sittenfeld, Simpson and Vice Mayor Mann, WE MOVE that the Administration work with the Cincinnati Recreation Commission to rename East Hyde Park Commons in honor of fallen Police Officer Sonny Kim and the Queensgate Recreation Area in honor of fallen Firefighters Daryl Gordon and Oscar Armstrong III. (STATEMENT ATTACHED)

\*\*\*

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

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CITY MANAGER

Item #: 201501235

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/10/2015, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with OTR A.D.O.P.T., Inc., thereby authorizing an 8-year tax exemption for 100% of the value of the improvements made to real property located at 1702 Central Parkway in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of the building on such property into residential and possibly commercial space, which remodeling shall be completed at an aggregate cost of approximately \$145,000.

\*\*\* Referred back to Budget & Finance Committee.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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Item #: 201501305

ORDINANCE submitted by Harry Black, City Manager, on 9/30/2015, authorizing the City Manager to apply for a 2016 Childhood Obesity Prevention Grant for an amount up to \$150,000 from the United States Conference of Mayors in partnership with the American Beverage Foundation for a Healthy America, to sponsor the Cincinnati Fitness Warriors Program, a 10-week pilot program that will take place at 23 recreation centers and that will target children in the first through third grades to help them get more physically active and eat properly.

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Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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Item #: 201501307

ORDINANCE submitted by Harry Black, City Manager, on 9/30/2015, amending the official zoning map of the City of Cincinnati to rezone the real property located at 3443 Zumstein Avenue in the Hyde Park neighborhood from SF-6 "Single-Family Residential", zoning district to the OL, "Office Limited", zoning district.

\*\*\*

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201501295

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for SGJ Enterprises LLC DBA (Not Listed), 7733 Reading Road, Units A4-A8. (#8010895, Transfer of Ownership, D5, D6) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201501296

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Eastern Hills Indoor Tennis Inc. DBA (Not Listed), 669 Wilmer Avenue. (#248534, Transfer of Stock, D1) [Objections: None]

\*\*\*

Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201501297

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, regarding zoning of property located at 3730 Isabella. (SEE DOCUMENT #201501193 FOR COMMUNICATION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201501302

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for NHF Licensing LLC DBA The Depot, 640 Main Street. (#6381475, New, D5J) [Objections: None]

\*\*\*

Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201501303

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Forno Osteria & Bar LLC DBA Forno Osteria & Bar, 3514-16 Erie Avenue Basement and Patio. (#2822292, Transfer of Ownership, D1, D2, D3, D3A, D6) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201501304

REPORT, dated 9/30/2015, submitted by Harry Black, City Manager, regarding street rehabilitation of Bahama and Hawaiian Terrace. (SEE DOCUMENT #201500503 FOR MOTION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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BUDGET AND FINANCE COMMITTEE

Item #: 201501267

ORDINANCE submitted by Harry Black, City Manager, on 9/16/2015, authorizing the City Manager to apply for a grant in an amount of up to \$275,000.00 from the Council on Aging of Southwestern Ohio to provide funding to the Cincinnati Recreation Commission to enhance its programming for senior citizens, including congregate meals and support for senior recreation programs.

\*\*\*

Status/Recommendations:

PASS

\*\*\* PASSED 0309-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501268

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/16/2015, authorizing the City Manager to accept and appropriate a monetary donation from Boys Hope Girls Hope of Greater Cincinnati in a maximum amount of \$10,800.00 for the purpose of providing funding for the H3 Cincy program this fall.

\*\*\* Held on calendar

Status/Recommendations:

PASS EMERGENCY

\*\*\* HELD ON CALENDAR

Item #: 201501269

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/16/2015, authorizing the implementation of the August 2015 to August 2018 labor management agreement between the City of Cincinnati and the Greater Cincinnati Building and Construction Trades Council (hereinafter "Building Trades"); and, further authorizing the City Manager to execute the terms of the new labor management agreement, which is reflected in the tentative agreement attached hereto.

\*\*\*

Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0313-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501270

ORDINANCE, dated 09/10/2015, submitted by Councilmembers Simpson and Seelbach, AUTHORIZING the City Manager to establish a parental leave and benefits policy for City employees providing for up to six weeks of leave time for parents to use following the birth or adoption of a child which policy includes paying the employees 70% of their regular rate of pay for up to four weeks after a fourteen calendar day waiting period and allows the parents to take an advance on future calendar days of accumulated sick leave at that time, in order to ensure that employees have the ability to use up to six weeks of paid sick time following a child's birth or adoption.

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Status/Recommendations:

PASS

\*\*\* PASSED 0310-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	N
MR. MANN	Y
MS. MURRAY	N
MR. SEELBACH	Y

Item #: 201501287

ORDINANCE submitted by Harry Black, City Manager, on 9/23/2015, approving and authorizing the execution of a Job Creation Tax Credit Agreement with Curiosity, LLC pursuant to which the company agrees to create 28 new jobs at the property located at 221 East Fourth Street in the Central Business District of Cincinnati within three years, and the City agrees to provide the company with a City income tax credit equal to 40% of City income tax revenue generated from such new jobs over a period of six years.

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Status/Recommendations:

PASS

\*\*\* PASSED 0311-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501289

ORDINANCE submitted by Harry Black, City Manager, on 9/23/2015, authorizing the City Manager to apply for a grant in an amount up to \$307,443.12 from the Ohio Environmental Protection Agency for the purpose of supporting mitigation of two low-head dams on the Mill Creek.

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Status/Recommendations:

PASS

\*\*\* PASSED 0312-2015

MS. SIMPSON	Y
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MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501292

ORDINANCE, (EMERGENCY) submitted by Paula Boggs Muething, City Solicitor on September 15, 2015, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Base Operations, Inc., thereby authorizing an 8-year tax exemption for 100% of the value of the improvements made to real property located at 1309-1315 Main Street in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of nine apartment units located on such real property, which remodeling represents a total construction cost of approximately \$450,000. (B VERSION)

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Status/Recommendations:

PASS EMERGENCY

\*\*\* INDEFINITELY POSTPONED

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501308

ORDINANCE, (EMERGENCY) submitted by Paula Boggs Muething, City Solicitor on September 29, 2015, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Base Operations, Inc., thereby authorizing an 8-year tax exemption for 100% of the value of the improvements made to real property located at 1309-1315 Main Street in the Over-the-Rhine neighborhood of Cincinnati, consisting of the remodeling of nine apartment units at a total construction cost of \$450,000, and acknowledging the property owner's commitment to enter into a voluntary tax incentive contribution agreement to benefit streetcar operations. (C VERSION)

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0314-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y



ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

Item #: 201501313

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/30/2015, APPROVING the Final Disparity Report submitted by Mason Tillman Associates, Ltd. (the "Disparity Report"); and AUTHORIZING the Administration to take all necessary administrative actions for the implementations of race- and gender-neutral programs as well as race- and gender-conscious programs designed to mitigate the existing disparity in the participation of minority business enterprises and women business enterprises in City of Cincinnati contracts, consistent with the recommendations of the Economic Inclusion Advisory Council and the findings detailed in the Disparity Report.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0306-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501314

ORDINANCE submitted by Harry Black, City Manager, on 9/30/2015, ORDAINING new Chapter 324, "Minority and Women Business Enterprise Programs," of the Cincinnati Municipal Code to implement race- and gender-conscious programs designed to mitigate the existing disparity in the participation of minority business enterprises and women business enterprises in City contracts, consistent with the recommendations of the Economic Inclusion Advisory Council and the findings detailed in the Disparity Report.

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Status/Recommendations:

PASS

\*\*\* PASSED 0308-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y

Item #: 201501315

ORDINANCE, dated 09/29/2015 submitted by Harry Black, City Manager, AMENDING Section 321-1-P, "Professional Services," of Chapter 321, "Procurement and Disposal of Supplies, Services and Construction," of the Cincinnati Municipal Code; REPEALING existing Chapter 323, "Small Business Enterprise Program," of the Cincinnati Municipal Code; and ORDAINING new Chapter 323, "Small Business Enterprise and Local Business Enterprise Programs," to implement race- and gender-neutral programs designed to complement race- and gender-conscious

remedies to increase the participation of local business enterprises, including minority business enterprise and women business enterprises, in City contracts, consistent with the recommendations of the Economic Inclusion Advisory Council and the findings detailed in the Final Disparity Report submitted by Mason Tillman Associates, Ltd. dated July 2015.

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Status/Recommendations:

PASS

\*\*\* PASSED 0307-2015

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y